

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
SOUTHEASTERN DIVISION**

TIMOTHY BARR,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 1:15CV00085ACL
	)	
REBECCA PEARSON, et al.,	)	
	)	
Defendants.	)	

**MEMORANDUM AND ORDER**

This matter is before the Court on plaintiff's motion for appointment of counsel [Doc. #5]. Plaintiff asserts that he cannot afford counsel and has been unable to secure an attorney. For the following reasons, the motion will be denied without prejudice.

"A pro se litigant has no statutory or constitutional right to have counsel appointed in a civil case." *Stevens v. Redwing*, 146 F.3d 538, 546 (8th Cir. 1998). When determining whether to appoint counsel for an indigent litigant, the Court considers relevant factors, such as the complexity of the case, the ability of the pro se litigant to investigate the facts, the existence of conflicting testimony, and the ability of the pro se litigant to present his or her claim. *Id.*

After reviewing these factors, the Court finds that the appointment of counsel is not warranted at this time. This case is neither factually nor legally complex, and

it appears that plaintiff will be able to present his claims against defendants. Consequently, the motion will be denied at this time, without prejudice.

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff's motion for appointment of counsel [Doc. #5] is **DENIED**, without prejudice.

Dated this 11<sup>th</sup> day of June, 2015.

  
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**ABBIE CRITES-LEONI**  
**UNITED STATES MAGISTRATE JUDGE**